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Alexandria AND COMMERCIAL INTELLIGENCER.

VOL. II.]

WEDNESDAY, JANUARY 17, 1802.

NO. 54.

Sale by Auction.

On SATURDAY next,
At ten o'clock, will be sold at the Auction
Room,

Rum in hhds. and bls.

Sugar in do.

Coffee in bags,

Soap and Candles in boxes,

Raisins in do.

Starch in do.

Tobacco in kegs, &c. ALSO,

A quantity of Dry Goods,

Viz.

Kendal Cottons,

Kerseys,

Halfthicks, Plains,

Plaids, Coatings,

Duffils, Flannels,

Irish and Sheet Linens,

German Oznaburgs,

Calicoes, Durams,

Shawls, Handkerchiefs,

Ladies' Silk Gloves,

Sewing Silks, Threads, &c.

H. and T. MOORE,

Jan. 22. Auctioneers.

Public Sale.

On FRIDAY,
At ten o'clock, will be sold at the Vendue
Store,

3d and 4th proof Antigua and
Jamaica Rum in hhds. and bls.

French Brandy in bls.

Holland Gin in bls.

Teneriffe Wine in casks,

Cordials in bls.

Sugar in hhds and bls.

Molasses in hhds.

Rice in tierces and bls.

Soap in boxes;

Queens and Earthen Ware in crates,

handforney afforted,

30 boxes Havanna Segars,

Cotton in bales--or a credit.

ALSO,

A variety of DRY GOODS,

AMONG WHICH ARE--

Broad and narrow Cloths,
Flannels and Planes,
Carpets and Carpeting.
Irish and German Linens,
Worsted and cotton Stockings,
Calicoes and Ginghams,
A variety of Muslin and Muslin Hand
kerchiefs and Shawls,
Table Cloths, Hats,
Boots and Shoes,
Hardware, and
A number of other articles.

P. G. MARSTELLER,
Jan. 26. Vendue-Master.

Public Sale.

On the 11th of February next
WILL BE SOLD,
On the Premises,

A neat and convenient Store
and Dwelling-House, on Prince-Street,
near the corner of Royal-Street. The
stand is equal to any in the Town, fronts
on Prince-Street 18 feet 4 inches, and is
in depth 78 feet, with the benefit of an
alley; subject to a rent of Twenty
Pounds. Terms, &c. will be made known
previous to the sale.

P. G. MARSTELLER, v. m.
January 23.

JUST PUBLISHED,
By Cottom & Stewart,
And for Sale at their Book Store,

Price 37½ Cents,

Certain Acts of the Common-
wealth of Virginia for regulating the Mi-
litia, and of the Congress of the United
States, more effectually to provide for the
national defence by establishing an uniform
militia throughout the United States, with
the Rules and Articles of war.

Cards given for clear linen and cot-
ton rags at this office.

Advertiser

For Charter.

THE SCHOONER

LUCY,

Captain Snow, 90 Tons
burthen, to Europe, or any
port in the West-Indies—apply to the
Master on board at Vowell's Wharf or to
the subscribers.

JANNEY & PATON.

January 22. d

FOR CHARTER,

The Schooner

RACHEL,

Burthen about 86 tons.—
Apply to Capt. Russell Ste-
vens, or to

KORN & WISEMILLER.

January 7. d

JUST PUBLISHED,

AND FOR SALE AT

Cottom & Stewart's Book Store,
ST. LEON:

A Tale of the Sixteenth Century.

By William Godwin.

Two vols.—Price Two Dollars.

Also, for Sale,

THE PHILADELPHIA CARPENTERS'
BOOK OF PRICES.

Price 75 cents, stitched.

Fraternal Discord; the Writing Desk;
Abbe de l'Epee, or the Orphan, and Faile
shame, by Kotzebue.

Jan. 9. d

For Sale,

Antigua Rum by the hhd.

Raisins by the box,

Sugar by the barrel,

Dates, fresh from the coast of Barbary,

With a variety of other

FRUITS and GROCERIES.

ABEL WILLIS.

At The HOPE will sail for Norfolk

on Thursday next.

Jan. 11. d

ROBBERY.

One Hundred Dollars Reward.

THE subscribers' store was last night
broke open and the following Cash and
Goods taken therefrom, viz.

About 100 dollars in cash,

Cross-barred and striped coarse swansdown,

1 Piece of superfine brown cloth,

1 do. do. dark bottle green,

1 do. do. dark brown superfine,

1 do. do. dark mixed brown superfine,

2 do. do. blue fine cloth,

1 do. do. dark mixture fine cloth,

3 do. do. lapet muslins,

Of sprigged muslins a number—also dimi-

ties; camel hair shawls; brown, red and

blue bandannoes; yellow flaggs and

cinnamon silk shawls; a number of India

book muslins; women's blue and white

worsted and cotton stockings; men's

fancy cotton stockings; a few pieces

of Marseilles vest patterns and silk nan-

keen, together with a variety of other

articles not particularly recollect.

The above reward will be paid to any

person for discovering the Cash and Goods

and convicting the thief or thieves; or

Fifty Dollars for all the Goods, or in

proportion for any part of the Goods re-

covered.

It is hoped all well disposed persons will

interest themselves in discovering and

bringing to condign punishment the per-

petrators of this daring attack upon the

property of citizens.

J. & M. SCHOLFIELD.

January 2. d

Such Printers as are disposed to de-

fect villainy are requested to insert the

above.

SOAL LEATHER

And Mens' coarse Shoes,

Just received a quantity, for sale by

JOHN G. LADD.

Dec. 19. d

By virtue of a Deed of Trust from Robert
Hamilton and Esther, his Wife, to the
Subscribers, for securing the payment of
a sum of money to the President, Directors,
and Company of the Bank of Alexan-
dria, on the 30th instant will be exposed
to Sale, for ready money, on the premises,

District of Columbia, Alex-
andria County, to wit,

I, PETER WISE, jun. one of the U.

States' Justices of the Peace for the

County of Alexandria and District of

Columbia;

To all Marshals, Sheriffs, Mayors, Bai-

iffs, Constables, and Headboroughs,

within the United States,

Whereas complaint is made to

me this day, upon the oath of James

Campbell, jailer of the aforesaid county,

that Dennis Hennessy, laborer, who was

lately committed to the jail of the said

county of Alexandria,

SENATE
OF THE UNITED STATES.

Wednesday, Jan. 13, 1802.

DEBATE

On Mr. Brackenridge's motion to repeal the act passed last session for a new organization of the JUDICIARY SYSTEM.

JUDICIARY ESTABLISHMENT.

[CONTINUED.]

Mr. Morris.—Mr. President, I had fostered the hope that some gentleman who thinks with me, would have taken upon himself the task of replying to the observations made yesterday and this morning in favor of the motion on your table. But since no gentleman has gone so fully into the subject as it seems to require, I am compelled to request your attention.

We were told yesterday by the honorable member from Virginia, that our objections were calculated for the bye standers, and made with a view to produce effect upon the people at large. I know not for whom this charge is intended. I certainly recollect no such observations.

As I was personally charged with making a play upon words, it may have been intended for me. But surely, sir, it will be recollected that I declaimed that paltry game, and declared that I considered the verbal criticism which had been relied on, as irrelevant. If I can recollect what I said, from recollecting well what I thought, and meant to say, sure I am that I uttered nothing in the file of an appeal to the people.—I hope no member of this house has so poor a sense of its dignity as to make such an appeal. As to myself it is now near thirty years since I was called into public office. During that period I have frequently been the servant of the people, always their friend; but at no one moment of my life their flatterer, and God forbid that I ever should be. When the honorable gentleman considers the course we have taken, he must see that the observation he has thus pointed can light on no object. I trust that it did not flow from a consciousness of his own intentions. He, I hope, had no view of this sort. If he had he was as much, very much mistaken. Had he looked round upon those who honored us with their attendance, he would have seen that the splendid flashes of his wit excited no approbatory smile. The countenances of those by whom we were surrounded presented a different spectacle. They were impressed with the dignity of this house: they perceived in it the dignity of the American people, and felt with high and manly sentiment their own participation.

We have been told, sir, by the honorable gentleman from Virginia, that there is no independent part of this government. That in popular governments the form of every department, as well as the government itself, must depend upon popular opinion. And the honorable member from North-Carolina, has informed us that there is no check for the overbearing powers of the legislature but public opinion; and he has been pleased to notice a sentiment I had uttered. A sentiment which not only fell from my lips, but which flowed from my heart. It has, however, been misunderstood and misapplied. After reminding the house of the dangers to which popular governments are exposed from the influence of designing demagogues upon popular passion, I took the liberty to say, that we, we the Senate of the United States, are assembled here to save the people from their most dangerous enemy, to save them from themselves; to guard them against the baneful effect of their own precipitation, their passion, their misguided zeal.

"Tis for these purposes that all our constitutional checks are devised. If this be not the language of the constitution, the constitution is all nonsense. For why are the Senators chosen by communities, and the representatives directly by the people? Why are the one chosen for a longer term than the other? Why give one branch of the legislature a negative upon the acts of the other? Why give the President a right to arrest the proceedings of both till two thirds of each should concur? Why all these multiplied precautions, unless to check and control that impetuous spirit, that headlong torrent of opinion, which has swept away every popular government that ever existed?

With most respectful attention I heard the declaration of the gentleman from

Virginia, of his own sentiment. "Whatever," said he, "may be my opinion of the constitution, I hold myself bound to respect it." He disdained, sir, to profess an affection he did not feel, and I accept his candour as a pledge for the performance of his duty. But he will admit this necessary inference from that frank confession, that although he will struggle (against his inclination) to support the constitution, even to the last moment, yet, when in spite of all his efforts it shall fall, he will rejoice in its destruction. Far different are my feelings.—It is possible that we are both prejudiced; and that in taking the ground on which we respectively stand our judgements are influenced by the sentiments which glow in our hearts. I, sir, wish to support this constitution because I love it. And I love it because I consider it as the bond of our union; because in my soul I believe that on it depends our harmony and our peace; that without it we should soon be plunged in all the horrors of civil war; that this country would be deluged with the blood of its inhabitants; and a brother's hand be raised against the bosom of a brother.

After these preliminary remarks, I hope I shall be indulged while I confide the subject in reference to the two points which have been taken, the expediency and the constitutionality of the repeal.

In considering the expediency I hope I shall be pardoned for asking your attention to some parts of the constitution, which have not yet been dwelt upon, and which tend to elucidate this part of our enquiry. I agree fully with the gentleman that every section, every sentence, and every word of the constitution ought to be deliberately weighed and examined; nay, I am content to go along with him, and give its due value and importance to every stop and comma. In the beginning we find a declaration of the notices which induced the American people to bind themselves by this compact. And in the foreground of that declaration we find these objects specified: to form a more perfect union, to establish justice, and to insure domestic tranquility.

But how are these objects effected? The people intended to establish justice.—What provision have they made to fulfil that intention? After pointing out the courts which should be established, the 2d section of the 3d article informs us, "The judicial power shall extend to all cases, in law and equity, arising under this constitution, the laws of the United States, and treaties made, or which shall be made, under their authority; to all cases affecting ambassadors, other public ministers and consuls; to all cases of admiralty and maritime jurisdiction; to controversies to which the United States shall be a party; to controversies between two or more states, between a state and citizens of another state, between citizens of different states, between citizens of the same state claiming lands under grants of different states, and between a state, or the citizens thereof, and foreign states, citizens or subjects."

"In all cases affecting ambassadors, other public ministers and consuls, and those in which a state shall be a party, the supreme court shall have original jurisdiction. In all the other cases before mentioned, the supreme court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations as the Congress shall make."

Thus then we find that the judicial power shall extend to a great variety of cases; but that the supreme court shall have only appellate jurisdiction in all admiralty and maritime causes, in all controversies between the United States and private citizens, between citizens of different states, between citizens of the same state claiming lands under different grants, and between a citizen of the United States and foreign states, citizens or subjects....

The honorable gentleman from Kentucky, who made the motion on your table, has told us that the constitution in its judiciary provisions contemplated only those cases which could not be tried in the state courts. But he will, I hope pardon me when I contend that the constitution did not merely contemplate, but did by express words refer to the national tribunals a right to decide, and did secure to the citizens of America a right to demand their decision in many cases evidently cognizable in the state courts. And what are these cases? They are those in respect to which it is by the constitution premised that the state courts would not

always make a cool and calm investigation, a fair and just decision. To form therefore, more perfect union, and insure domestic tranquility, the constitution has said there shall be courts to the Union to try causes, by the wrongful decision of which the Union might be endangered or domestic tranquility disturbed. And what courts? Look again at the cases designated. The supreme court has no original jurisdiction. The constitution has said that the judicial powers shall be vested in the supreme and inferior courts. It has declared that the judicial power so vested shall extend to the cases mentioned, and that the supreme court shall not have original jurisdiction in those cases. Evidently, therefore, it has declared that they shall (in the first instance) be tried by inferior courts, with appeal to the supreme court. This, therefore, amounts to a declaration that the inferior courts shall exist. Since without them the citizen is deprived of those rights for which he stipulated, or rather those rights verbally granted would be actually withheld; and that great security of our Union, that necessary guard of our tranquility, be completely paralyzed, if not destroyed. In declaring then that these tribunals shall exist, it equally declares, that the congress shall organize and establish them. I say they shall; this is the evident intention, if not the express words, of the constitution. The convention in framing the American people in adopting, that compact, did not, could not presume, that the congress would omit to do what they were thus bound to do. They could not presume, that the legislature would hesitate one moment, in establishing the organs necessary to carry into effect those wholesome, those important provisions.

The honorable member from Virginia has given us a history of the judicial system, and in the course of it has told us, that the judges of the supreme court knew when they accepted their offices the duties they were to perform, and the salaries they were to receive. He thence infers, that if again called on to do the same duties they have no right to complain. Agreed. But that is not the question before us. Admitting that they have made a hard bargain, and that we may hold them to a strict performance, is it wise to exact their compliance to the injury of our constituents? We are urged to go back to the old system; but let us first examine the effects of that system. The judges of the supreme court rode the circuits, and two of them, with the assistance of a district judge held circuit courts and tried causes. As a supreme court they have in most cases only an appellate jurisdiction. In the first instance, therefore, they tried a cause sitting as an inferior court, and then on appeal tried it over again as a supreme court. Thus then the appeal was from the sentence of the judges to the judges themselves. But say, that to avoid this incoherence, you will incapacitate the two judges who sat on the circuit from sitting on the supreme court to review their own decrees. Strike them off: and suppose, either the same or a contrary decision to have been made on another circuit by two of their brethren in a similar case. For the same reason you strike them off, and then you have no court left. Is this wise? Is it safe? You place yourself in a situation where your citizens must be deprived of the advantage given to them of a court of appeals, or else run the greatest risk that the decision of the first court will carry with it that of the other.

The same honorable member has given us a history of the law passed the last session, which he wishes now to repeal.—That history is accurate at least in one important part of it. I believe that all amendments were rejected, pertinaciously rejected: and I acknowledge that I joined heartily in that rejection. It was for the clearest reason on earth. We all perfectly understood, that to amend the bill was to destroy it. That if ever it got back to the other house, it would perish. Those, therefore, who approved of the general provisions of that bill, were determined to adopt it. We sought the practicable good, and would not in pursuit of unattainable perfection, sacrifice that good to the pride of opinion. We took the bill, therefore, with its imperfections, convinced that when it was once passed into a law, it might be easily amended.

We are now told, that this procedure was improper; nay, that it was indecent. That public opinion had declared itself against us. That a majority (holding different opinions) was already chosen to the other house; and that a similar majority was expected for that in which we sit—Mr. President, are we then to understand, that opposition to the majority in the two houses of congress is improper, is indecent? If so—what are we to think of those gentlemen, who not only with proper and decent, but with laudable motive, (for such is their claim) so long, so perseveringly, so pertinaciously, opposed that voice of the people, which had so repeatedly, and for so many years, declared itself against them, through the organs of their representatives? Was this indecent in them? If not, how could it be improper for us to seize the only moment which was left for the then majority to do what they deemed a necessary act? Let me again refer to those impetuous demands on the constitution, which called on us to establish inferior courts. Let me remind gentlemen of their assertion on this floor, that centuries might elapse before any judicial system could be established with general consent. And then let me ask, being thus impressed with a sense of the duty and the difficulty of performing that arduous task, was it wise to seize the auspicious moment?

Among the many stigmae affixed to this law, we have been told that the President, in selecting men to fill the offices which it created, made vacancies and filled them from the floor of this house. And that but for the influence of this circumstance, a majority in favour of it could not have been found. Let us examine this suggestion. It is ground on the supposition of corrupt influence derived from a hope, founded on two remote and successive contingencies. First, the vacancy might or might not exist; for it depended as well on the acceptance of another as on the President's grant; and Secondly, the President might or might not fill it with a member of this house. Yet on this vague conjecture, on this unstable ground, it is inferred, that men in high confidence violated their duty. It is hard to determine the influence of self interest on the heart of man. I shall not therefore make the attempt. In the present case it is just, but I hope not, I believe not. At any rate gentlemen will agree with me, that the calculation is uncertain and the conjecture vague.

But let it now, for argument sake, be admitted. Saving always the reputation of honorable men who are not here to defend themselves. Let it I say, for argument sake be admitted, that the gentlemen alluded to acted under the influence of improper motives. What then? Is a law, that has received the varied assent required by the constitution, and is cloathed with all the needful formalities, thereby invalidated? Can you impair its force by impeaching the motives of any member who voted for it? Does it follow, that a law is bad because all those who concurred in it cannot give good reasons for their votes? Is it not before us? Must we not judge of it by its intrinsic merit? Is it a fair argument, addressed to our understanding, to say we must repeal a law, even a good one, if the enacting of it may have been effected in any degree by improper motives? Or is the judgment of this House so feeble, that it may not be trusted?

Gentlemen tell us, however, that the law is materially defective, nay that it is unconstitutional. What follows? Gentlemen bid us repeal it. But is this just reasoning? If the law be only defective, why not amend? And if unconstitutional, why repeal? In this case no repeal can be necessary; the law is in itself void; it is a mere dead letter.

To shew that it is unconstitutional a particular clause is pointed out, and an inference is made, as in the case of goods, where because there is one contraband article on board, the whole cargo is forfeited. Admit for a moment, that the part alluded to were unconstitutional, this would in no wise affect the remainder.—That part would be void, or if you think proper, you can repeal that part.

Let us, however, examine the clause objected to on the ground of the constitution. It is said, that by this law the district judges in Tennessee and Kentucky, are removed from office by making them circuit judges. And again, that you have by law appointed two new offices, those of circuit judges, and filled them by law, instead of purusing the modes of

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appointment prescribed by the constitution. To prove all this, the gentleman from Virginia did us the favor to read those parts of the law which he condemns, and if I can trust to my memory, it is clear from what he read, that the law does not remove these *district judges*, neither does it appoint them to the office of *circuit judges*. It does indeed put down the *district court*; but is so far from destroying the offices of *district judge*, that it declares the persons filling those offices, shall perform the duty of holding the *circuit courts*. And so far is it from appointing *circuit judges*, that it declares the *circuit courts* shall be held by the *district judges*. But gentlemen contend, that to *discontinue* the *district courts*, was in effect to remove the *district judges*. This sir, is so far from being a just inference from the law, that the direct contrary follows as a necessary result; for it is on the principle that these judges continue in office after their courts are discontinued, that the new duty of holding other courts is assigned to them. But gentlemen say, this doctrine militates with the principles we contend for. Surely not. It must be recollect, Sir, that we have repeatedly admitted the right of the legislature, to change, alter, modify and amend, the judiciary system; so as best to promote the interest of the people. We only contend, that you shall not exceed or contravene the authority by which you act. But, say gentleman you force this new office on the *district judges*, and this is in effect a new appointment. I answer, that the question can only arise on the refusal of those judges to act. But is it unconstitutional to assign new duties to officers, already existing? I fear that if this construction be adopted, our labors will speedily end; for we shall be so shackled, that we cannot move. What is the practice? Do we not every day call upon particular officers to perform duties not previously assigned to, or required of them? And must the executive in every such case make a new appointment?

(To be continued.)

Alexandria Advertiser.

WEDNESDAY JANUARY 27.

VIRGINIA LEGISLATURE.

The Bill "Concerning the High Court of Chancery," has passed the House of Delegates, by a majority of 33 votes.—The two additional courts established by this bill are to be held at Williamsburg and Staunton.

The Bill concerning the Glebe Islands in this State, passed the Senate on Wednesday.

Extract of a letter from a gentleman in South Carolina to his friend in Philadelphia.

"The tameness with which the Senate of the United States has crouched under the unprecedented outrage offered to that body by Mr. Jefferson, in dismissing a prosecution they had ordered against Duane for an atrocious libel on themselves, adds to the melancholy forebodings long since excited in the bosoms of those who with for permanence to our present political system.

"That an unprincipled alien, whose trade is slander, but who could never grow rich on his profession till he commenced its exercise in Philadelphia, should be protected and patronized by the supreme executive of the country, in his calumnies on one branch of the legislature, is a spectacle, our surprise at which could only be exceeded by that which is felt on perceiving the passive humility with which that branch of the legislature receives the indignity.

"Much as we have been accustomed to hear about the despotism of Kings, it may safely be affirmed that no King of England, since the revolution of 1688, would have dared to make so bold an experiment on the weakness of a British Parliament. Altho' in that country prosecutions are in the name of the King, and it is admitted that the constitution furnishes no check to the royal prerogative of suspending them by a *nolle prosequi*, yet a decent respect for the legislature, and a conviction that the legislature will not fail to respect itself, effectually restrains the crown from so unbecoming a manifestation of partiality for a worthless and offending favorite.

"Much as we have been accustomed to hear about the corruption of a British Parliament, and the undue influence of the

crown, it may safely be affirmed, that no British Parliament would have quietly submitted to such an indignity as this.—No British Parliament would have looked on tamely, at the ill timed interposition of the crown, to arrest a prosecution ordered by a branch of the legislature, against a guilty slanderer of its own fame.

"To such an insult, an English Parliament would be as incapable of submitting, as an English monarch, though surrounded with all the pomp of prerogative, would be of offering it.

"After such an instance of the passive temper with which the Senate is disposed to accede to the Executive will, I should not wonder if that body should be chosen to batter the constitution in breach, and demolish the judiciary system, one of the great pillars on which that fabric stands. Whenever the Executive and Legislature shall combine, either for the direct oppression of individuals, or to destroy the constitution, no check to their progress can be found, but in an independent judiciary. Of consequence; one of the first evidences of such a combination will be an effort to destroy that independence.—The Executive is understood to have openly avowed this design—the Senate will most probably commence its execution."

Gaz. U. S.

FROM THE GAZETTE OF THE UNITED STATES.

Mr. BRONSON,

In number 2, of the acute and able animadversions of LUCIUS CRASSUS upon the message of the president, I perceive a misconception which the nature of my function as *Expositor* (an unsalaried office, in which of course I have no competitor) compels me to take notice. The President is by this writer, supposed to say, that an accumulation of treasure for the purpose of defence might be the means of producing war by tempting the rapacity of a greedy invader.

The President does not say so—His meaning is, that an administration possessing the means of defence, may thence be tempted to engage in a war which they would otherwise avoid; not that the treasure might tempt an enemy, but ourselves.—The idea is indeed new and refined, but it is nevertheless his idea, I am persuaded. Attend to the policy of the administration. What is it? Why economy, *l'argent beaucoup d'argent*, not indeed to squander, but to save. As subsidiary to this, it must be pacific: for what is more expensive than war?

We know that the maxu, *worm-eaten* maxim was, to be prepared for war: hence old Aesop's fable of the boar whetting his tusks, hence the sacred deposit of the Romans for defence against the Gauls, hence Mr. Gibbon's observation, that "they preferred peace, by being prepared for war," and the many other instances which might be adduced. But the policy of the new school is, the very reverse of this; & its disciples, realizing probably in themselves, the Hudibrastic ardour, which

Cannot hear a trumpet blow or drum beat,

Without feeling a month's mind to combat;

would rather forego the means of defence, than put such a temptation in their way.

Another reason might have concurred in introducing this sentiment into the message. An administration to be efficient, should be popular, and as avarice seems to be considered as the most prominent trait in the American character, it has been most sedulously angeld for.

Hence the sentiment, in perfect unison with the object of

catching money lovers, even goes a little

further, and is probably a bait thrown out

for the society of Friends. This respectable society are true lovers of peace, in

which they conform to the Christian precept.

But as they are so attached to stable

and moral government, it is extremely

problematical whether they will be such

judges as to bite. There is certainly

no fact that has so sovereign a contempt

for their fellow men, as that of the modern

philosophers.—Any trash they think will

go down.

EXPOSITOR.

FRENCH SPOILATION.

We have been surprised at the many crude things which have been said, in several respectable papers, relative to the

nature and true import of the clause added

by Buonaparte, to the treaty between the

United States and the French Republic.

It has been repeatedly asserted that the

clause is merely explanatory of the altera-

tions made in the original convention by the

President and Senate of the United States,

during the last session of Congress. A very little attention to the subject will show this opinion to be entirely erroneous and will prove, that the clause under consideration has essentially changed the nature of the convention, as ratified by our government. The second article of the original convention stipulated that as the ministers plenipotentiaries of the two parties were not empowered to agree [among other things] "relative to the indemnities mutually due and claimed, the parties shall further negotiate upon these points at a convenient time."—The whole of this article being struck out by the President and Senate, the subject of indemnities was left entirely悬而未决, and the claims of both parties were consequently allowed to remain exactly in their original situation, and each was at liberty to claim indemnities in such manner and at such time as should be thought expedient, as though no such convention had ever been formed. In this situation was the convention left by the late administration.

Buonaparte, in agreeing to expunge the second article, adds this extraordinary clause; "Provided, [bien entendu que] or, it being well understood, that the two nations RELINQUISH the CLAIMS WHICH ARE THE OBJECTS of the said article; not that they agree to relinquish the article itself, which was the intention of our government; but the claims which are the OBJECTS of the article; to wit, the indemnities due and claimed. Thus have our

government, by sanctioning the construction of the First Consul, precluded our claims for between twenty and thirty millions of dollars, and have at the same time, refuted at great expense and restored to the French the few vessels taken by us! What would our Jacobins not have said, had such been the provisions of the British treaty, negotiated by Mr. Jay?

Gaz. U. S.

FOR SALE,

At public Auction, on Wednesday the 10th of February next, on a credit of 60 days,

 The Sloop Lively, Batten 21 tons, in good order—a very handsome and fast sailing sloop, particularly well calculated for a packet between this town and the City of Washington, or to run rock and white fish during the approaching season.

H. and T. MOORE, co Auctioneers.

NOTICE.

THE citizens of Alexandria, indebted to the editors of the WASHINGTON FEDERALIST, are requested to pay no debts of theirs to any person, except receiving their printed Receipts, Signed

RIND & PRENTISS.

Washington, January 27, 1802.

New Novel.

PROPOSALS, FOR PRINTING BY SUBSCRIPTION, THE LIFE OF JASON FAIRBANKS: A NOVEL, FOUNDED ON FACT. WITH SOME ACCOUNT OF HIS TRIAL AND EXECUTION.

By a Gentleman of Massachusetts.

Extract from the Preface.

IN recording the actions of those persons, whose lives are to be narrative examples of the passions, and the dreadful consequences of their unlimited indulgence—prudence, as well as sensibility and principle, should prompt us to do in such a manner, as to unite the greatest possible utility to the public, with the least possible injury to the feelings of their friends. On the former principle, the style should not be too much elevated, nor should it be too highly charged with that kind of sentiment, which, however fashionable it may be, tends only miserably to the refinement and corruption of a pampered imagination.

As the facts in themselves stand in no need of colouring or embellishment to heighten their effect—so neither will the simplicity of the moral, which so naturally flows from them, derive any new force from rhetorical decoration. The style therefore should be simple and narrative, without affectation or false sentiment, in order to strike with undivided impression, the curiosity, as well as the understanding of the youthful and gay. It should be intermingled with such reflections and remarks only, as are intimately connected with the events, and flow immediately from them.

The History of JASON FAIRBANKS, must necessarily be a kind of History of the Human Heart, wandering under the delusions of a disordered imagination, irresistible passions, and perhaps the poisonous consequences of wicked and visionary theories, whose effects he could indeed feel, but whose falsehood and sophistry, he had neither the maturity of judgment nor learning, to despise or detect.

The mind revolts from evident falsehood, and fiction loses its force, when it departs from the resemblance of reality. As the action, therefore, and the incidents are extremely limited, and the recency of the event, (however pious might be the intention) precludes the substitution of general fiction, such only can be introduced, as is in the most intimate analogy with the subject, and might be supposed reality, without any violation of truth or probability. The grave historians furnish from their own flock, the speeches of their orators, and the harangues of their heroes; and the wise sayings they put into the mouths of all their great men, serve to illustrate in the most striking point of view, the manner of thinking most peculiar to the characters and the situations of those they celebrate.—Thus far, then, an author may be allowed to proceed, justified by authority, and invited by public good:—whatever sentiments, therefore, may be supposed analogous to those opinions, and illustrative of those dispositions, which produced the various incidents, and eventually the tragic focus in which the whole terminated, may be considered as the faithful transcript, not indeed of what was actually written or spoken, but of what was thought and intended by the principal actor in this fatal catastrophe.

CONDITIONS.

It shall be printed on the finest paper, with a new and handsome type, forming a volume neatly bound and lettered, of between three and four hundred pages, duodecimo.

To subscribers, the price will be one dollar: to non-subscribers, one dollar and twenty-five cents. Those who subscribe, or procure subscriptions for eight, shall have one gratis.

The names of the subscribers (if requested) shall be alphabetically arranged, and printed at the end of the volume, with the number of copies they subscribe for.

The work will be put to press as soon as 600 subscribers are obtained.

Subscriptions will be received at the office of the Alexandria Advertiser.

Boston, January, 1802.

Printing executed at this office.

JANNEY & PATON

HAVE FOR SALE,
90 Pieces of Ruffia Duck,
30 Ravens do.
6 Chets of Souchong Tea,
Havanna white & brown Sugars in boxes,
West-India do. in hds. and barrels,
Coffee in bags and barrels,
Holland Gin in barrels,
Sweet Oil in boxes of 12 bottles each,
Castile Soap in boxes,
Shoes in boxes assorted,
East-India Goods.
Also,
The Cargo of the Schooner Lucy, captain
Snow, consisting of
43 Tons Plaster of Paris,
60 Casks of Lime,
10 Barrels of Tanner's Oil,
115 Reams of Wrapping Paper,
40 Boxes of dipt Candles.
January 22. d

Valuable Property
(Within a quarter of a mile of Alexandria)
TO BE RENTED.

12 Acres of land, on the East side of the George Town road, well enclosed, with a post and rail fence, and a growing hedge all round; about 5 acres of this lot is cultivated as a Garden, and well manured, in which there are a variety of excellent bearing fruit trees, grape vines, raspberry, gooseberry, and currant bushes, a variety of herbs and flowers and 38 asparagus beds, highly manured and produced abundantly, there are also on this lot, two dwelling houses, a cow-house, stable, corn and sheep-house.

23 Acres of land on the West side of the said road, enclosed in like manner, about 15 acres of it is in timothy, and produces good crops of hay, about 6 acres has been in clover, and since a crop of rye has been taken from it; at a proper season it may be again laid down, in either clover or timothy; about two acres is in wood—this lot may be conveniently divided into four good grass lots.

No person or persons need apply to rent the aforesaid property, but such as can come, well recommended, for their honesty, sobriety and knowledge in the gardening and farming business. The two lots will be let separate or together as may best suit, and good security will be required, for performance of the covenants, in the lease or leases. For terms apply to the subscriber. PHILIP R. FENDALL.

January 20. d
JUST PUBLISHED,
AND FOR SALE AT
COTTON & STEWART'S
Book-Store, Royal-street,
POLITICAL ESSAYS,
RELATIVE TO THE
War of the French Revolution;
—VIZ.—

AN ARGUMENT
Against continuing the War, for the subversion of the Republican Government of France:
A LETTER
To the Duke of Portland, being an answer to the two Letters of the late Right Hon. Edmund Burke, against treating for Peace with the French Republic.—
A MEMORIAL,
Proposing a Plan, for the Conquest and Emancipation of Spanish America, by means which would promote the tranquility of Ireland.
BY JAMES WORKMAN, Esq.

Nov. 20.

L A W.

MERIT v. DEMERIT.

The Rival Clergy for Chaplainship to Congress.

For Sale at this Office,
The Clerical Candidates.
A P O E M.

The above work is printed on fine wove paper, containing 36 pages, octavo, price 25 cents.

Dec. 3. d
JUST RECEIVED,
COARSE WOOLLENS,

Consisting of
Nap'd cottons, half thick, pladdings, striped blankets and kersey duffils.—For sale on very moderate terms by the package, on the usual credit.

Wm. HODGSON.
Oct. 6. d

William Hartshorne

Has for Sale at his Mill, or in Alexandria,
Plaster of Paris by the ton, or ready ground by the bushel,
Indian Meal and Rye Meal, bolted or unbolted,
Corn, or any other grain, ground for toll at the mill.

At his Store in town,
Hay in bundles, Corn by the bushel,

Loaf and lump Sugar by the hoghead or barrel,
First and second quality James R.

Tobacco, in kegs,
A few very good Mill Spindles,
Two good Scale Beams.

For Sale,
One Share in the Potomac Company,

A number of valuable Lots in town.

Also, for Sale or Rent,
A valuable Brick House on King street, now in the tenure of Thomas Cruse.

To Let,
A two story Frame House on Duke street, with a large garden and well of good water at the door.

1st mo. 18. d

FOR SALE,

The Cargo of the brig Little Sally, capt. Cozens, From Rhode-Island, now landing and consisting of

French Brandy,

Holland Gin (entitled to drawback)

Country Gin,

West-India Rum, N. England do.

Loaf Sugar,

Castile Soap, Tanner's Oil,

R. I. Chees of an excellent quality,

Soal Leather,

Russia and ravens Duck and Sheetings,

Cordage, 1 bale of Ticklenburgs, &c.

For Sale, Freight or Charter,

The said brig Little Sally, burthen about 650 barrels, an excellent vessel and well equipped. Apply to

J. G. LADD.

Jan. 4. d

LIVERY STABLE,

And HORSES & CARRIAGES

TO HIRE.

THE subscriber respectfully informs the

public that he takes horses on livery, and

keeps some excellent horses and carriages to hire.

Also,

A few good SADDLE HORSES for sale.

Apply in part of the house formerly

the Swan Tavern, King street, to

JOHN HODGKIN.

Jan. 25. d

1812.

Valuable Property for Sale.

Seven hundred and eighty-eight acres in the county of Hampshire, on the waters of Great Cape Codon, about 20 miles from the Warm Springs, and 30 from Winchester. This land is full of wood, oak and pine timber. Two excellent farms may be made, with 30 to 50 acres of bottom, and rich high lands to each; and in the heart of the timber there is a fine seat for a saw-mill. Capt. Daniel Rice will shew the lands.

Three thousand eight hundred and forty-five acres in the county of Ohio, on the water of Grave and Fish Creek, near the river Ohio, and about 80 miles below Pittsburgh. Some of these lands are very good, with considerable quantities of rich bottom, and plenty of excellent timber.

Robert Woods, Esq. the Surveyor of that comity will shew these lands.

I will sell all or any of the above lands for cash or upon credit, or take in exchange for them land in Fairfax County, or lots of land in the city of Alexandria, or the city of Washington.

R. T. HOOD

October 23. d

Notice.

THE subscribers have in their hands sum of money received from the late firms of Messrs. Tabb and M'Affry, and Patrick M'Affry and Co. merchants of the town of Martinsburg, in the state of Virginia; and as they understand that Mr. Michael M'Kewan, of said place, has purchased a number of the claims against that estate—This is, therefore, to give notice to him, and all others having demands against the estate of the said Tabb and M'Affry, and Patrick M'Affry and Co. to bring in their accounts to us, properly authenticated, on or before the first day of March next, in order to receive their dividend of the money in our hands. Those who do not produce their accounts by that time will be excluded from a dividend.

A. & J. KENNEDY & Co.
Balt. Dec. 4. 1812.

2d Mch

COTTON & STEWART

Have received, a large and general ASSORTMENT of BOOKS IN THE DIFFERENT BRANCHES OF POLITE LITERATURE;

Amongst which, are the following:

JEFFERSON's Notes on Virginia, hot press'd Ed. Kotzebue's Plays, 2 vols. Ladies' Musical Magazine, Park's Travels, Stewart's View of Society, Chesterfield's Letters, 4 vols. Culler's Practice of Physic, Wallis on Health, Paley's Philosophy, 2 vols. Gibson's Surveying, Moore's Navigation, by Biunt; Burns's Poems, Millot's Ancient History, 2 vols. Practical Education, 2 vols. Beauties of St. Pierre, Buchan's Family Physician, Fox's Book of Martyrs, 2 vols. Lee's Memoirs, British State Trials, Robinson's Admiralty Reports, 2 vols. (to be continued) Gentlemen and Ladies' Preceptor, 2 vols. Hunter, on the Blood, 2 vols. Caldwell's Memoirs, Willich's Lectures, Martin's Law of Nations, Varetel's Dicto, Newton's of the Prophecies, 2 vols. Edinburgh Dispensatory, Elegant Extracts, Constitutions, Zimmerman on Solitude, Ditto on National Pride, Blackstone's Commentaries, 4 vols. Collection of Farces, 6 vols. Polite Education, Tooke's Pantheon, Junius's Letters, 2 vols. Guthrie's Geography, Knox's Education, 2 vols. Datto Essays, 2 vols. Collygan's Travels, Cook's Voyages, 4 vols. Damerger's Travels, &c. &c.

NOVEMBER.

The Armenian, 2 vols. Montalbert, 2 vols.

Antoinette, Tales of Wonder, (by Levis.) 2 vols.

My Uncle Thomas, 2 vols. Jack Smith, Spirit of the Castle, Arthur Mervin, 2 vols. Clara Howard, Ormond, Weiland, Maid of the Hamlet, Vagabond, Sailor Boy, Athlin and Dimbyne, Romance of the Forest, 2 vols. Mysteries of Ulpho, 3 vols. Louisa, Julia and the Baron, Ghoul Sier, Tale of the Times, 2 vols. Camilla, 3 vols. Evelina, 2 vols. Monk, 2 vols. Family of Ortemburg, Negro, 2 vols. Black Valley, Ellen and Morduant, 2 vols. George Barnwell, Mountain Cottager, Children of the Abbey, 2 vols. Reachford Family, Darcy, 2 vols. mila de Varmont, Oakdale Abbey, The Fair Impostor, 3 vols. Edelrida, 4 vols. Count de Hoefneld, 3 vols. Henriette Mortimer, 2 vols. Fashionable Daughter, Count Gleichen, Emma Dorville, Scotch Heiress, 3 vols. Miss Bartimores, 2 vols. Advertisement for a Husband, 2 vols. Wandering Hander, 2 vols. Cornelia Sedley, 4 vols. Tom Jones, 3 vols. Edward, by Moore, 2 vols. Morduant, by Ditto, 2 vols. Reuben and Rachel, Girl of the Mountains, 2 vols. Myddle Cottager, &c. &c.

ALSO,

Bibles, Testaments, Psalters, Common Prayer Books; Dilworth, Webster, Universal, Pearce, London, and Rational Spelling Books, Primers, and a large collection of Histories and Children's Books, Writing and Letter Paper, and Paper Hangings, Wafers, Quills, Ink Powder, Vioin Strings, Playing Cards, Song Books, and Blank Books, &c. &c.

ALMANACS for the year 1802, by the

groce, dozen, or single.

Country Shopkeepers supplied on the low-

est terms.

THE SUBSCRIBER,

Contemplating a removal from the

District of Columbia, as soon

as he can close his out standing

concerns, OFFERS FOR SALE,

THE FOLLOWING

Very valuable Property.

One undivided half of a FARM

adjoining the Great Falls of Potomac, on which

is a good House, a new Barn, and some excel-

lent Meadow.—Also, a FORGE, 50 by 60

feet, covered with tin, and a Coal and Iron

House, situated on the Canal made by the Po-

tomac Company, and the right of cutting the

wood for 900 years on a large parcel of land ad-

joining—much of this wood is convenient to the

river, and may be readily transported to George-

Town, the Federal City, or this place. The

other half may be purchased.

Three-Eighths of about eleven

hundred acres of LAND, in Berkley county, ad-

joining the lands of the United States, at Keep

Tyre Furnace and Harper's Ferry—more than

half of it is in wood, and the remainder good

farming land. The other five-eights may also

be purchased.

An undivided moiety of 36

acres of LAND in the Common of Alexandria.

And adjoining the town, chiefly under fence of ce-

reals posts and cheiftail rails.

A large and handsome Brick

DWELLING HOUSE, 50 by 40 feet, with a

brick Stable, Smoke House, and Well of excel-

lent water. The Garden and Yard paled in.

The House is not quite finished. It will be sold

either in its present state, or finished as may suit

the purchaser.

A number of LOTS on the

new wharf, made by Mr. Herbert, Mr. Wilson,

and the subscriber, between Fairfax street and the

river Potowmack; and, also, the division of the said

wharf, made from Mr. Thompson's by a 20 feet

street.

An undivided half of a LOT

in the west side of Fairfax street, above Queen

street, on which the house was burnt last winter.

For particulars, respecting titles and terms,

which will be liberal both as to price and credit,

apply to

JOHN POTTS.

Alexandria, Oct. 17. 1802.

FOR SALE.

An elegant GELDING.

Enquire of the Printers.

January 26. d

Printing in all its va-

riety, executed at this office,